

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA CR No.: 3:01-506-JFA
)
)
v.)
)
) ORDER
RONALD PAYNE)
)
)
)

This matter came before the court upon the defendant's motion to reconsider this court's order dated March 14, 2012 (ECF No. 453), which denied defendant's motion for reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2). Both sides have submitted memoranda of law to the court, and a hearing was conducted on July 16, 2012. Present at the hearing were Assistant United States Attorney Mark Moore, and Federal Public Defender Parks Small. The defendant was allowed to participate in the hearing by way of satellite from his current place of incarceration.

During the hearing, the United States retreated from its earlier position that this court lacks authority to modify the defendant's sentence at this time. The court grants the defendant's motion for reconsideration (ECF No. 456) and reduces the defendant's sentence of incarceration to a term of 198 months. This action is taken pursuant to defendant's motion under § 3582 and Amendment 750 to the United States Sentencing Guidelines. The reasons for the court's reductions were stated in open court and are incorporated herein by reference. All other aspects of the original sentence remain in full force and effect. An amended Judgment and Commitment order will issue contemporaneously with this order.

IT IS SO ORDERED.

July 17, 2012
Columbia, South Carolina

Joseph F. Anderson, Jr.

Joseph F. Anderson, Jr.
United States District Judge